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New York

President: Mr. Gurirab ..... (Namibia)

In the absence of the President, Mr. Morel (Seychelles), Vice-President, took the Chair

The meeting was called to order at 10.10 a.m.

Agenda item 13

Report of the International Court of Justice (A/54/4)

The Acting President: The report of the International Court of Justice contained in document A/54/4 covers the period 1 August 1998 to 31 July 1999. May I take it that the General Assembly takes note of the report of the International Court of Justice?

It was so decided.

The Acting President: I call on Mr. Stephen Schwebel, President of the International Court of Justice.

Mr. Schwebel (President of the International Court of Justice): I am pleased to see the Vice-President of the Court and other colleagues of mine present in the Assembly.

It is an honour to speak to the General Assembly under the presidency of the Foreign Minister of Namibia, Mr. Theo-Ben Gurirab. The work of the International Court of Justice has been intertwined with the destiny of Namibia, in which he has played so prominent a part.

It has been said that where one stands depends on where one sits. The judges of the International Court of Justice sit in the favoured city of The Hague as members of the world's most senior international court, the principal judicial organ of the United Nations, the Court with the richest history, the broadest material jurisdiction, the most refined jurisdictional jurisprudence; they sit in a World Court which since 1922 has issued scores of judgments that have successfully settled international disputes and contributed to the shaping and reshaping of international law.

From the judicial perspective of The Hague, the century that is about to close is a century of great achievement and profound loss, of extraordinary scientific and technological advance and of atavistic reversion to barbarism. With the horrors of two world wars and too many other wars; the organized bestialities of the Holocaust, whose obsessive scale gave rise to the General Assembly's interdiction of the crime of genocide; the purposeful and pervasive atrocities of Cambodia, Rwanda, Bosnia, Kosovo and Sierra Leone, among others, some even more recent or continuing — this century is as marked by its invention of the concentration camp and the refugee camp as it is by its invention of the airplane and of the exploration of space. Man's knowledge has improved exponentially but his character has not; human nature seems less promising than it may have been thought to be in 1899. Certainly the need to regulate human — and inhuman — behaviour looks no less pressing today than it did in 1899, when the first Hague Peace Conference took up the now familiar

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subjects of the peaceful settlement of international disputes, disarmament and the law of war. The twentieth century has witnessed appalling acts of aggression and regression, yet it has seen unparalleled advances in international law and institutions as well.

It is remarkable to recall that the first worldwide diplomatic conferences in the history of mankind were as recent as the Hague Peace Conferences of 1899 and 1907. There had been earlier multilateral conferences to end wars and share out spheres of influence. But the Hague Conferences were the first beginnings of international diplomacy that gave rise to the formation of international organization and the concerted promotion of international law. It is fitting that the Hague Conference of 1899 was searchingly commemorated this year in The Hague and that it was addressed with his characteristic insight by the Secretary-General of the United Nations.

As early as 1907, at the second Hague Peace Conference, the creation of a permanent court of international justice was proposed. That proposal was not adopted, notably because agreement could not be reached on how to choose the judges. Such concerns were submerged by the outbreak of the First World War and the extraordinary extent of the death and destruction that its prolongation entailed.

But the catastrophe of the First World War led to the great experiment of the League of Nations, the construction of an institutional framework of legal principle and process designed to maintain and promote international peace and security. The League of Nations Covenant provided for the establishment of the Permanent Court of International Justice, and its organs provided the means for electing its members. That Court, the immediate predecessor of the International Court of Justice, was set up in 1922 and functioned until 1940. It functioned well. It demonstrated that a world court could work and that international law could be made more effective through judicial determination. The Court successfully adjudicated disputes between States, and its judgments and advisory opinions made major contributions to the development of international law. It opened the gateway to the creation of a modern law of human rights by holding that treaties may establish rights and obligations for individuals which are enforceable under international law.

The League of Nations, for reasons beyond its control, was unable to contain the assault of the Axis Powers on peace and civilization — nor, of course, could the Court. With the defeat of the Axis Powers, the will to "save succeeding generations from the scourge of war" led to the creation of the United Nations, a sharply reformed League. But the Court, unlike the League, was not sharply reformed. It was maintained almost intact because statesmen and scholars alike saw it as a success within its own sphere.

The few innovations introduced into the Statute at San Francisco were positive. The new Court became the principal judicial organ of the United Nations, and all United Nations Members became party to the Court's Statute, which forms an integral part of the Charter.

No international court in an international society as decentralized as international society was and is could prevent war. As has been rightly observed, more often than not it is not disputes as to rights which cause wars, but rather conflicts of interests, which is quite a different matter. Yet a world court can fundamentally foster peace through the adjudicated settlement of international disputes and the development of the body of international law.

Today, 53 years after its creation, the International Court of Justice has more than justified that perception. As the annual report of the Court transmitted to the General Assembly recounts, in the period from 1 August 1998 to 31 July 1999 the Court rendered two judgments and one advisory opinion. It issued orders on requests for provisional measures in another 11 cases. It admitted counter-claims in another case, and it issued orders concerning the conduct of proceedings in 19 cases in all. Those cases concern international disputes both large and small. The issues raised are diverse and significant. The parties are as diverse as the issues.

What is especially arresting is that during this period the Court was seized of 18 new contentious cases, far more than have ever been filed within any 12-month period before. Ten of those cases, brought by Yugoslavia against 10 members of the North Atlantic Treaty Organization (NATO) in respect of the Kosovo bombing, have marked commonalities. But even so, the extent of increased recourse to the Court is remarkable, and it is continuing. Pakistan filed an application against India last month in respect of the shooting down of a Pakistani naval aircraft. Chile has informed the Court of, and publicly announced, an intention to bring to the Court the Pinochet case against Spain.

This extended recourse is all the more noteworthy when the diversity of States submitting cases to the Court

is considered. Parties to the statute of the Permanent Court of International Justice were restricted by the prevalence of colonial rule and the policies of the United States of America and the Union of Soviet Socialist Republics. Perforce, the Permanent Court of International Justice was Euro-centred. The International Court of Justice today is universal in its clientele. States submitting cases to the Court are drawn not only from Europe and the Americas, but from Africa, Asia, the Middle East and Australasia. Indeed, today States of Africa are in the lead in their resort to the Court. The Court itself is universal in its composition, made up as it is of members from the United States of America, Sri Lanka, Japan, Algeria, France, Madagascar, Hungary, China, Germany, Sierra Leone, the Russian Federation, the United Kingdom, Venezuela, the Netherlands and Brazil.

The extent of recourse to the Court is immensely encouraging. It is to be hoped that this will in turn promote wider adherence to the compulsory jurisdiction of the Court. Before the end of the cold war, the jurisdiction of the Court was a perennial subject of jousting in the Sixth Committee between East and West. A regular feature of codification conferences called by the United Nations was battles over whether the Court should be endowed with the jurisdiction to adjudicate disputes that might arise under the treaties concluded by those conferences. In view of the positive evolution of international relations, those battles should be a thing of the past. There is no reason why the jurisdiction of the Court should not be regularly provided for.

It is to be equally hoped that the number of States adhering to the jurisdiction of the Court under the optional clause will grow at a greater rate. Sixty-two States currently adhere, only a third of the number of parties to the Statute and a number that does not include many of the larger States. A higher proportion of States adhered to the optional clause of the Statute of the Permanent Court in 1939 than is the comparable case today.

Not only is the Court far busier than ever before, not only is the diversity of States using the Court far greater, but the range of issues raised before the Court increasingly includes questions related to major international crises. In the 12 months under review, cases concerning hostilities in Kosovo and the Congo were brought to the Court, joining on the docket such sensitive cases as those concerning the Lockerbie atrocity and claims of genocide on the territory of the former Yugoslavia.

The Court's General List also includes four cases of boundary delimitation, a more traditional area in which the Court has been notably successful. A few of those boundary cases are of very great importance to the States concerned. The boundary dispute on which the Court will announce a judgment in some weeks concerns the river boundary between Botswana and Namibia and a small island in the boundary river. But the example set by Botswana and Namibia — of litigating rather than fighting over a bit of land — is one that other States, including other African States, could usefully emulate.

In the past year, resort to requests for the indication of provisional measures stands out. Such requests take precedence over all other judicial business. They may strain the members of the Court and its Registry. In the *LaGrand* case, brought by Germany against the United States, the Court agreed unanimously on an indication of provisional measures within 24 hours of receipt of the application. In the 10 applications filed by Yugoslavia against members of NATO, the Court acted rapidly.

When provisional measures are sought, the Court deals with them while other cases are in progress. That illustrates a broader trend in the Court — to deal with more than one case at a time, rather than taking up cases successively, a trend which, however, is constrained by the extent of the Court's resources. The Registry, and the budget of the Court, essentially were designed for an era when the Court had few, not many, cases on its docket.

The entry of actors onto the international stage other than States which also influence the processes of international law-making and administration has, among other factors, fostered the creation of specialized international tribunals. This development is to be welcomed. It makes international law more effective by endowing legal obligations with the means of their determination and enforcement. Concern that the proliferation of international tribunals might produce substantial conflict among them, and evisceration of the docket of the International Court of Justice, have not materialized, at any rate as yet. A greater range of international legal forums is likely to mean that more disputes are submitted to international judicial settlement. The more international adjudication there is, the more there is likely to be; the "judicial habit" may stimulate healthy imitation.

At the same time, in order to minimize such possibility as may occur of significant conflicting interpretations of international law, there might be virtue

in enabling other international tribunals to request advisory opinions of the International Court of Justice on issues of international law that arise in cases before those tribunals that are of importance to the unity of international law.

In respect of international tribunals that are organs of the United Nations, such as the international tribunals for the prosecution of war crimes in the former Yugoslavia and Rwanda, no jurisdictional problem in their requesting the Security Council to request advisory opinions on their behalf appears, should they wish to do so. The Council is authorized by the Charter to request the Court to give an advisory opinion on any legal question, and nothing in the Statutes of the war crimes tribunals debars them from asking the Security Council to exercise that authority on their behalf. Nor do the administrative tribunals of the United Nations system lack the competence to request the General Assembly or comparable organs of the specialized agencies to request opinions on their behalf.

There is even room for the argument that international tribunals that are not United Nations organs, such as the International Tribunal for the Law of the Sea, or the International Criminal Court, when established, might, if they so decide, request the General Assembly — perhaps through the medium of a special committee established for the purpose — to request advisory opinions of the Court. It should be recalled that the League of Nations Council asked advisory opinions not only on behalf of the League, but, more often, of other international agencies and States. The League Covenant did not expressly authorize the Council or the Assembly of the League to request advisory opinions on behalf of others. Nor did the constitutions of such others expressly authorize them to ask the League to request advisory opinions. Do the General Assembly and Security Council lack comparable capacity to serve as channels for requests of international tribunals?

In any event, a certain caution in the creation of new universal courts may be merited in respect of inter-State disputes. The International Court of Justice has demonstrated a capacity to deal with specialized and new, as well as broader and more traditional, problems.

At the same time, the Court will have to respond to the new challenge of cases coming in more rapidly than judgments are going out. Building on its recent review of its work methods, it has now embarked on a revision of its rules and practice, with a view to accelerating its own processes and inducing States parties to join in so doing. The drawing out of Court proceedings by States, by using the maximum number of written and oral exchanges and by requiring excessive lengths of time for the preparation of pleadings, slows the Court's work, as does resort to preliminary objections, which is at times well founded but at other times is apparently tactical. A tendency towards attaching unduly extensive annexes to pleadings requires curbing, because all annexes must be translated, as must be the pleadings themselves — processes which are time-consuming and expensive. The permanent translation staff of the Court is tiny.

Under the chairmanship of Ambassador Mselle, the Advisory Committee on Administrative and Budgetary Questions (ACABQ), whose current report on the Court's administration and budget is most positive and appreciated — as was its report of 1998 on the Court's conditions of service — has accepted the modest expansion in translation staff requested by the Court for the next biennium. The Court trusts that the Fifth Committee will authorize this, as it authorized last year's improvement in conditions of service. But if the Court is to have the capacity and flexibility to translate pleadings in ways which enable it to get more cases ready for hearing more rapidly, larger translation resources will be required. Furthermore, if the members of the Court are to be expected to handle massive international cases more speedily, they will benefit from the assistance of law clerks, who so significantly assist other international and national courts.

The Court has noted with further appreciation the report and draft resolution submitted to the General Assembly by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/54/33), which lend support both to increased budgetary resources for the Court and to the measures taken by it to accelerate the disposition of cases.

The Court wishes to offer timely justice to those who come to it. Other international courts successfully function while affording parties less time for oral argument. It may be that the era when the International Court of Justice routinely affords States weeks rather than days, and days rather than hours for oral argument, may be coming to an end. The restricted time limits imposed upon States in their presentation of oral argument in the context of advisory opinions has not given them apparent difficulty.

The financial resources of the Court cannot be divorced from those of the Organization that provides them. The financial fabric of the United Nations must be

repaired, most fundamentally by renewed performance of the treaty obligations of Members of the United Nations to pay their assessments, as determined by this General Assembly in the exercise of the authority deliberately and expressly entrusted to it by the terms of the Charter. The binding character of those assessments was affirmed by the Court in 1962, when it held that the exercise of the power of apportionment creates the obligation, specifically stated in Article 17, paragraph 2 of the Charter, of each Member to bear that part of the expenses which is apportioned to it by the General Assembly. Failure to meet that obligation not only has the gravest effects on the life of the Organization, but transgresses the principles of free consent, good faith and *pacta sunt servanda*, which are at the heart of international law and relations.

I said at the outset that where one stands depends on where one sits. In a measure, that is true. But of course the principles for which the Court stands are universal principles that merit universal support. As the Court enters the first century of the third millennium, it stands for international law, not international lawlessness; for the peaceful settlement of international disputes in conformity with international law, not with the will of the more powerful party; for international organization, not for international anarchy or for a State sovereignty which purports to be above the law. It stands for human rights — rights that can be effectively realized only within functioning systems of law, whether local, national or international.

The Court has no illusions about the extent of the progress that has been made; it does not underestimate the extent of the challenges faced by the United Nations at large. But it counts it a continuing and profound privilege to join with the members of this General Assembly to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small, and to endeavour to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.

Mr. Hwang (Republic of Korea): Let me begin by expressing, on behalf of my delegation, our warmest appreciation to the President of the International Court of Justice, Judge Stephen M. Schwebel, for his lucid introduction of the report of the Court contained in document A/54/4. The report contains a comprehensive account of cases and issues pertaining to the Court. The sizable array of cases clearly attests to the fact that the Court is the legal forum where the most complex and significant themes in international law today are being interpreted and applied. It also demonstrates that the Court, as the principal legal organ of the United Nations, is effectively fulfilling its responsibilities. In this regard, my delegation would like to ask Judge Stephen M. Schwebel to convey its sincere respect and esteem to the other judges of the Court.

Since its establishment in 1946, the International Court of Justice, as the principal judicial organ of the United Nations, has developed qualitatively as well as quantitatively. In the period between 1946 and the 1970s, the caseload of the International Court of Justice was not so burdensome. However, for several reasons there has been a substantial increase in the number of cases before the Court since the early 1980s. One of the main reasons may be that the decolonization and breakup of certain States have dramatically expanded the Court's client base, which now includes 188 States. Moreover, the change in attitude towards adjudication and the evolving perception of the alleged bias of the Court in developing countries since the end of the cold war have also contributed to a marked increase in the docket sheet of the Court. Reflecting the fundamental new direction that international relations have recently taken, the Court's subject matter has also dramatically expanded to include a wide variety of issues: maritime boundaries, territorial sovereignty, the use of force, non-interference in the internal affairs of States, diplomatic relations, hostage-taking, the right to asylum, nationality, expropriation of foreign property and rights of passage. In this respect, the work of the International Court of Justice is fundamental for the maintenance of international peace and security in today's world.

My delegation shares the view of the International Court of Justice regarding the increase in its workload and the implications of this development, as contained in the report in document A/53/326. The Court has responded to the dual challenges of an increased workload and insufficient resources through measures such as rationalizing the Registry, utilizing electronic technology and streamlining work procedures. While commending this work done by the International Court of Justice so far, we hope that practical measures will be taken as soon as possible to provide the Court with sufficient means to continue the important work entrusted to it by the Charter.

There is every reason to suppose that the rise in the number of cases coming before the Court will continue, and even accelerate, in the future. Indeed, experience

tells us that judicial recourse takes place more frequently in times of detente than in times of tension. Furthermore, more countries will in the future bring cases to the Court by special agreement. Many multilateral treaties now refer disputes to the International Court of Justice for settlement, and there has been a gradual increase in the number of States accepting the optional clause of the Court's Statute. As a result, we must take the Court's appeal for more resources into serious account. In this regard, my delegation takes note with great interest that the Advisory Committee on Administrative and Budgetary Questions has given consideration to the budgetary request of the Court and expects that other relevant bodies of the Organization will also respond to the legitimate demands of the Court.

I now turn to the publications of the Court. This issue is very much bound up with the financial resources of the Court. My delegation regrets that there is a backlog in the publication of the Court's *Reports of Judgments, Advisory Opinions and Orders*, as well as other documents. These publications will certainly contribute to the progressive development of international law and its codification, as well as better understanding of international law, by allowing readers easy access to valuable information on the work of the Court. While welcoming the efforts of the Court to disseminate such publications via electronic database, my delegation hopes that the publication of the Court's documents will be substantially improved in the near future.

On the eve of a new millennium, we should make the International Court of Justice more responsive to the demands of a dynamic and changing world. A new and strengthened role for the Court should be sought in the context of the changing structures of both international society and international law. How to respond to the new realities of an increasingly decentralized international society will be the main challenge for the International Court of Justice in the future. If the challenges facing the Court are not sufficiently addressed, the dispute settlement mechanism offered by the Court will likely lose its credibility and perhaps its pre-eminent role in the maintenance of international peace and security.

In this regard, my delegation wishes to draw the attention of the other Member States to the meetings of experts held in The Hague and St. Petersburg, in May and June of this year, respectively. Honouring the centennial of the 1899 first International Peace Conference, experts, rapporteurs and legal advisors from Member States met with specialists in the fields of disarmament, humanitarian law and the laws of war. To strengthen the role of the International Court of Justice, participants tackled a variety of issues facing the Court, such as the expansion of its advisory functions, widening access to contentious jurisdictions of the Court, the Court's powers of judicial review of the legality of actions of the Security Council and the composition of the Court itself.

My delegation is of the view that a thorough review of such medium and long-term proposals is needed because it could provide a useful guide to the challenges raised by the prospects for the functions of the Court in the coming century. My delegation would like to take this opportunity to express its thanks to Professors Francisco Orrego Vicuña and Christopher Pinto for their valuable report entitled "The peaceful settlement of disputes: prospects for the twenty-first century."

Allow me to conclude, by reaffirming on behalf of my delegation and the Republic of Korea, our steadfast and unwavering support for the valuable work of the International Court of Justice.

Mr. Tello (Mexico) (*spoke in Spanish*): It is an honour for my delegation to speak once again during the Assembly's consideration of the report of the International Court of Justice. I want at the outset to thank Mr. Schwebel, President of the Court, for having presented the report to us. His comments are always thought-provoking and invite discussion. We offer him our deepest appreciation.

Recent years have seen a considerable increase in the legal work of the Court. By way of illustration, let me just call attention to the fact that during the period covered by the report — that is, from 1 August 1998 until 31 July 1999 — 18 new contentious cases were submitted to the Court and there was one request for an advisory opinion. Even though some of the new cases are interrelated or, perhaps, related to decisions handed down in the framework of other cases before the Court, the fact is that they result in a great deal of work. Quite apart from how the cases may be interrelated, each and every one of them has to be dealt with separately and with special care, in accordance with the particular circumstances. Likewise, we must stress that these 18 new cases come on top of the ongoing ones. Thus overall our highest court now has before it 27 cases, and it is possible that new ones will be added in the near future.

These new developments are the source of mixed feelings. On the one hand, it is certainly satisfying to see that the International Court of Justice is increasingly

considered the most appropriate forum for resolving inter-State disputes. Although ideally these disputes should never arise, being able to submit them to the Court offers many advantages. The intervention of an impartial and permanent body that applies international law and issues binding decisions, ensures the parties that their dispute will be handled fairly. At the same time, the judicial decisions provide an additional means of defining the rules of international law and make a valuable contribution to the development of international law.

However, in the current situation, marked as it is by financial restrictions, an increase in the Court's judicial work is a cause of serious concern. We must recognize that the Court's procedures are not sufficiently expeditious and that budgetary limitations are affecting the administration of justice and, therefore, the discharge of the responsibility entrusted to the Court by the Charter.

The judicial settlement of disputes is a complicated task, and as a rule its results are not immediately felt. If we add to these difficulties the fact that the proceedings are slow, or if there is a lack of resources to handle the case at issue, the outcome may well be counterproductive. Sometimes excessive delays, rather than facilitating the settlement of a dispute, may make it worse.

As a country resolutely devoted to peace and firmly dedicated to respect for international law, Mexico has been particularly receptive to the various appeals made by the Court for an increase in its budget. At the same time, we have pronounced in favour of rationalizing the Court's procedures in a two ways. First, we have encouraged the Court to adopt all possible measures to make the processing of its cases easier. On the other hand, we have pointed out that States that come before the Court should heed the Court's recommendations and do their utmost to facilitate the handling of their cases. This, among other things, would mean reducing the extent of their arguments — formulating them clearly and concisely — and, as much as possible, presenting their documents already translated into the Court's working languages.

Today we are very pleased to see that some of the requests of the Court, particularly those related to an increase in its budget, are being heard. This is in part a result of the efforts Mexico has made in this regard, both within the General Assembly and under the framework of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. This year, upon Mexico's initiative, the Sixth Committee will adopt a draft resolution thanking the Court for the initial measures it has adopted to deal as efficiently as possible with the increased work load. The draft resolution also calls on the Court to continue to review its procedures and urges States that come before the Court to abide by the Court's guidance in this area. It urges the adoption of any other measure that might help speed up the proceedings.

Likewise, during its 1999 sessions, the Special Committee on the Charter felt there was a need to consider the budgetary request of the Court, given the urgency of this issue, and the Special Committee welcomed with satisfaction the fact that this request would be considered by the relevant United Nations bodies.

Mexico notes with satisfaction that the Advisory Committee on Administrative and Budgetary Questions (ACABQ) has considered the budgetary requests of the Court, and, given the increase in the Court's work load, the ACABQ has recommended to the Fifth Committee an increase of the resources allocated to the Court. At the same time we note that the recommended increase does not reflect the minimum specified by the Court in paragraph 43 of the report in document A/53/326. We believe that the increase, such as it is, is a positive development, but much remains to be done in this area. As the Court has said, the General Assembly must not underestimate the importance of peaceful settlement of international conflicts by means of the law.

It is indispensable to ensure that the resources allocated to our highest judicial body be at least the minimum required to deal with the cases submitted to it. Preferential treatment to other bodies having subsidiary jurisdiction cannot and should not continue indefinitely. Until this situation is corrected, the issue should remain a special priority item on our agenda. Mexico will continue to promote the strengthening of our highest judicial body.

This year marks the end of the United Nations Decade of International Law. One of the principal objectives of this Decade has been the promotion of the use of the International Court of Justice and the full implementation of its judgments. We believe that the achievements of this Decade are encouraging, though we note that further progress in the respect for and observance of the norms of international law is still needed.

We note with concern that some of the Court's decisions, particularly those of a precautionary nature, are not always respected by the parties concerned, thus putting at risk the very integrity of the cause in question. We believe that there is a need to strengthen respect not only for the judgements but for all the Court's orders and measures. From this rostrum we appeal to all States that are involved in cases before the Court to abide by the Court's decisions. This is the minimum requirement for giving judicial certainty to the actions that we, the States, have voluntarily submitted to the Court's jurisdiction.

Mr. Kasanda (Zambia): Allow me at the outset to thank the President of the International Court of Justice, Mr. Stephen Schwebel, for his very clear and lucid introduction of the report on the activities of the International Court of Justice for the period 1 August 1998 to 31 July 1999, contained in document A/54/4. I would also like to commend Mr. Schwebel and the members of the Court for the active role they are playing in the strengthening of the rule of law in international relations.

My delegation attaches great importance to the International Court of Justice, as it has an important role to play in the settlement of international disputes and the maintenance of international peace and security through its judgments and advisory opinions. The Court does indeed complement the work of the General Assembly, the Security Council and bilateral negotiations between States. It is an organ, in our view, that accords equal treatment to all nations and thus ensures the security and protection of small States.

Although the Court today is not perceived as the last resort in the settlement of international disputes, we are encouraged to note that it is regaining its original role of being the most authoritative interpreter of the legal obligations of States in disputes between them. This is a welcome development. This authoritative interpretation of legal obligations has indeed, in most cases, helped parties to a dispute to clarify their positions and provided them with legal conclusions on which to further their negotiations. This has consequently led to the diffusion of tension and in some cases helped avoid armed confrontation.

The work of the International Court of Justice has taken a new turn during the past few years, as evidenced by the increased number of States Members of the United Nations that are now parties to the Statute of the Court; those that have made declarations recognizing as compulsory the jurisdiction of the Court; and new contentious cases before the Court. All this shows that the international community is regaining confidence in the Court and its jurisdiction.

In this regard, I am pleased to inform the Assembly that my Government has already begun the internal process which will lead to its declaration recognizing the jurisdiction of the Court. To this end, my delegation urges more members to seriously consider recognizing the jurisdiction of the Court to further strengthen its work.

The increased recognition of the Court's jurisdiction has meant an increase in its workload. Unfortunately, despite this increase, there has been no corresponding growth in the financial resources made available to the Court. While the momentum is there to utilize the International Court of Justice, Member States should not be discouraged from resorting to it by having the resolution of cases delayed for the simple reason that the Court has no resources to deal with them.

It is therefore important that increased funding be extended to the Court to ensure that this organ, which assists in the resolution of conflicts through peaceful means and contributes to the maintenance of international peace and security, may discharge its duties effectively.

My delegation concurs with the statement by President Schwebel that if the Court is to fulfil its potential as the Organization's principal judicial organ, it must be afforded the resources to work as intensively and expeditiously as burgeoning international recourse to the Court demands. In the same spirit, we also appeal to all Member States that are in a position to do so to contribute towards the International Court of Justice's Trust Fund, which assists States in the judicial settlement of disputes. In this regard, we thank the Government of Japan for its recent contribution of $24,000 to the Fund.

We welcome the opening of the Museum of the Court in the Peace Palace, which was inaugurated by Secretary-General Kofi Annan on 17 May 1999. The Museum will serve as an invaluable source of history on the evolution of the Court and a rich reference for the world's legal systems. It is indeed a fount of knowledge for professionals, academicians and, in particular, students of international law. It is the hope of my delegation that the Museum will enhance the proper understanding of the functioning of the Court by Member States.

In conclusion, we also welcome the many talks and lectures on the Court given by the members of the International Court of Justice in order to improve public understanding of the judicial settlement of international disputes, the jurisdiction of the Court and its function in contentious and advisory cases. This, to my delegation, was a major contribution by the Court to one of the objectives of the Decade of International Law, which will come to a close this year, in relation to the teaching, study, dissemination and wider appreciation of international law. We believe that these lectures are very useful and we urge the Court to continue the practice, as they promote awareness of international law.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): Allow me at the outset to convey to the President of the International Court of Justice, Mr. Stephen Schwebel, our deep appreciation for his introductory statement in the debate on the Court's report. The Court can be proud of the authority it has conferred upon the process of judicial settlement, which was so long relegated to the margins. The Court can be proud, in the words of President Bedjaoui, of having secularized international justice and made it a landmark of our century. Proof of this is the Court's participation — of course, at the request of States — in the management of the great concerns of the world today: security, human rights, the environment and so on.

Mr. Schwebel and his peers, in speaking out on the major issues relating to the sacrosanct sovereignty of States, are exercising a profession that is unique in the world. Certainly, they do so with pride, but they also and above all do so with a great deal of humility. How could it be otherwise? They know that it is already uncomfortable enough for human beings to pass judgement on other human beings, touching as it does on almost metaphysical problems. "Judges of the Earth, you are gods." This equation of Henri François d'Aguesseau, Chancellor of France, is more a reflection of an acute sense of crushing responsibility than an expression of admiration.

Thus, what can be said of the President of the Court and of justice that is rendered by men upon States? This is all the more difficult and painful given the considerable vested interests that are always at stake. Fortunately, President Schwebel's conscience is sensitive to the point of obsession.

Having said that, I will now turn to the report on the Court's activities. Perhaps we should start with a dream and a wish. The dream is of an international community where everyone fully recognizes the primacy of law and of peace. The wish is that together, as we stand at the threshold of a new century and a new millennium, we resolve firmly to spare no effort to make this dream a reality.

The International Court of Justice stands at a crossroads. Created in a particular set of historical circumstances, it has seen its role grow continuously throughout the years. Today it must respond to a greater number of appeals on increasingly complex matters. At the same time, it must face the emergence of new courts with universal jurisdiction. I am thinking particularly of the International Tribunal for the Law of the Sea, as well as of the trend of resorting to alternative methods of settling disputes, such as international arbitration.

In view of the circumstances, the report of the International Court of Justice of which we are seized invites us to wonder about the position that the international community accords in real terms today to the principal judicial organ of the United Nations. In our view, this position can best be appreciated by considering three main criteria or indicators: declarations of acceptance, cases brought before the Court and the implementation of its decisions.

The number of declarations made under article 36, paragraph 2, of its Statute is the first indicator of the acceptance of the Court in the domain of international relations. This indicator is particularly important given the optional character of the recognition of the legal jurisdiction of the Court. The consensual nature of the bases of international judicial competence means that no State can be summoned before a jurisdiction without its prior consent.

According to the report of which we are seized, on 31 July 1999, the 185 Member States of the United Nations at the time, as well as Nauru and Switzerland, were parties to the Statute of the International Court. However, on the same date, only 62 States, 18 of which were from Africa, had made declarations recognizing the Court's jurisdiction as compulsory.

Universal acceptance of the Court's compulsory jurisdiction therefore remains a common challenge to be addressed. My delegation appeals to countries that have not yet adhered to the optional clause of compulsory jurisdiction to inscribe this item on their agendas and to give it the greatest attention. Is not the refusal to

recognize the Court's jurisdiction an anachronism, a throwback to the era of the unlimited sovereignty of States?

We consider that the question of submission by all States to international jurisdiction and international law should not be included among the parameters that today define the sovereignty of States.

We are not the only ones to demand insistently that Member States either recognize the compulsory jurisdiction of the Court or withdraw or mitigate the paralysing reservations that accompany such recognition.

In his report "An Agenda for Peace" the United Nations Secretary-General asked all States to accept the Court's jurisdiction unreservedly before the end of the United Nations Decade of International Law.

We will always advocate the idea that international tribunals with compulsory jurisdiction should determine when international law has been violated, and that they should be used as a framework for the peaceful settlement of disputes.

To ensure the primacy of international law, it is essential courts of international jurisdiction be established to interpret and apply in all fairness the equitable rules that govern peace and war, cooperation, development and the protection of the individual.

The second indicator that permits us to appreciate the effectiveness of the principal judicial organ of the United Nations is the number of cases brought before the Court. The declaration referred to in Article 36, paragraph 2, of the Statute of the Court is certainly of fundamental importance, but as Judge Ranjeva has emphasized, it is more a matter of intentions, since the number of cases brought before the Court is the fullest actual expression of States' acceptance of the Court's jurisdiction.

The report before us shows that the number of cases on the Court's docket continues to grow significantly. In my country's view, this is a genuine source of satisfaction. This process should certainly be encouraged.

Cameroon, as a State of law, attaches great importance to the peaceful settlement of disputes through courts, and therefore by recourse to the International Court of Justice, as other forms of settlement have turned out to be ineffective. This position is recalled constantly by our head of State, President Paul Biya. My country's position is further underpinned by resolution 3232 (XXIX), in which the General Assembly reaffirms that recourse to judicial settlement of disputes, particularly referral to the International Court of Justice, should not be considered an unfriendly act between States.

The growing number of cases brought before the Court, and its concomitant heavy workload, calls urgently for us to do everything possible to ensure that the Court can continue to fulfil its function as the principal judicial organ of our Organization in the most effective way. This means, of course, that the Court needs to be provided with additional human, material and financial resources. My delegation welcomes the broad consensus that is taking shape on this point. But it also means that we must reflect calmly on the Court's organization, its functioning and its administration. In our view, these two processes should be combined. At the same time, they must be carried out with strict respect for independence and impartiality, which, as we all know, are the essential characteristics of a court.

Increasing the resources made available to the Court and improving its functioning are all the more necessary because, in addition to its jurisdiction over contentious issues, its consultative work has also been experiencing significant development, as indicated in the report before us.

I now come to the third and last important indicator of the Court's acceptance and effectiveness: the implementation of its decisions. In our view, willing and speedy implementation of the Court's decisions is a demonstration of faith in international courts of law, an act that gives legal recourse its full meaning and weight. Indeed, what use would it be to accept the compulsory jurisdiction of the Court, to submit cases to it or to appear before it if in the end a State was not ready to accept the Court's decision?

The universal mission of international law and the International Court of Justice, and the fact that the latter represents all the great civilizations and the main legal systems of the world, can only provide assurance of the high quality of its decisions.

Over the years, the Court has developed an interesting jurisprudence on various issues, of which some are of great interest for the African countries, including mine — notably, the case on the question of boundaries.

The stability of the borders inherited from colonial times represents one of the mainstays of international order in Africa. That is why the judicial treatment of this question, which led the Court to insist on the general applicability of the principle of *uti possidetis juris*, garnered the support of the African countries. This can be seen in the willing and speedy implementation of the Court's decisions on this issue, which was forthcoming because the Court strictly applied an existing law and took the opportunity to give it general applicability.

Generally speaking, the implementation of the substantive decisions of the Court, even the most delicate ones, has never met with any difficulty on the part of the African States. Let us hope that this wise approach will last and will inspire the whole of the international community.

Overall, it seems that the importance of the role of the Court is not being called into question. But in regard to the three indicators that we have examined, it has become clear that the principal judicial body of the United Nations should be considerably strengthened.

Thus, I wish to conclude as I started: with a dream and a wish. The dream is the dream of an international community where the primacy of law and peace is fully established. And the wish is that we all commit ourselves to working together to realize that dream.

Mr. Rebagliati (Argentina) (*spoke in Spanish*): Allow me at the outset to say that it is an honour for me to address this General Assembly under the effective and experienced guidance of its President. I would also like to thank the President of the International Court of Justice, Mr. Stephen Schwebel, for his eloquent introduction of the report of the Court over which he presides, a report which gives clear proof of the meaningful role that it plays in today's international community.

I take this opportunity also to offer well-deserved praise to Mr. Eduardo Valencia-Ospina, who has announced his retirement. Mr. Valencia-Ospina has performed an invaluable task as Registrar of the Court, prior to which he distinguished himself in the United Nations Office of Legal Affairs. We trust that he will remain connected with the system in some capacity.

The legal tradition of the Republic of Argentina and its commitment to the peaceful settlement of disputes is well known. Thus, the Argentine delegation wishes to join with those in the General Assembly who have expressed their satisfaction over the work being done by the International Court of Justice in the interpretation and application of international law.

I wish to reaffirm the great importance that the Republic of Argentina attaches to the International Court of Justice as the principal judicial organ of the United Nations. The Court's decisions are always an obligatory point of reference for all legal decisions made by the various agencies of our Government.

I am especially pleased to be able to refer to the Court's activity at a time when the international legal order has become stronger and when there is growing awareness of the need to promote effective respect for the legal norms that govern the international community. The large number of cases currently under consideration by the Court on questions of the most diverse nature shows that there is growing interest and willingness on the part of States to resolve their international disputes through the highest tribunal of the Organization.

Between the end of the main part of the fifty-third session and the beginning of the fifty-fourth session of the General Assembly, the International Court of Justice heard questions of major relevance for the interpretation and identification of the norms and principles of international law. Confining ourselves only to the cases submitted in that period of time, we see that the Court was called upon to rule on disputes relating to the use of force — Yugoslavia versus Germany and other members of the North Atlantic Treaty Organization, and the Democratic Republic of the Congo versus Rwanda, Burundi and Uganda; genocide — Croatia versus Yugoslavia; territorial disputes — Indonesia versus Malaysia; diplomatic protection — Guinea versus the Democratic Republic of the Congo; consular relations — Germany versus United States of America; and other equally important issues. This variety of topics, which is not an exhaustive list of the matters under consideration by the Court, clearly shows that the Court is the forum that analyses in a specific fashion the most complicated and relevant questions of international law.

The present vitality of the Court attests to the trust that the Court inspires in States, which can be measured not only by the large number of cases under consideration, but also by the importance to those involved of the issues to be decided. Such trust has grown out of the prestige of that institution, which has been able to preserve throughout its history the virtues that characterize it: authority, integrity, impartiality and independence.

This growing activity of the Court, which must be applauded as a highly positive development, nevertheless involves certain dangers. First, we have the problem that the Court may not have adequate means to deal with the growing demands made on it. Therefore, it is necessary to provide the Court with the necessary resources to allow it to carry out its growing activity in proper conditions.

The problem of lack of means is related to a second danger confronting the Court: that it may be used as a political arena. Indeed, the increase in the Court's activity has stimulated debate on whether certain disputes referred to the Court are of a political or legal nature. We must point out that any legal dispute involves political aspects and vice versa, and that the Court itself has, pointed out on many occasions that the fact that a legal dispute may contain political aspects is no obstacle to the Court's jurisdiction. However, this means that States are obligated to exercise their right to resort to the Court responsibly in order to avoid abusing such resort as a means for the settlement of disputes. In the final analysis, we must recall that it is entirely within the exclusive competence of the Court to decide whether the legal nature of a dispute is sufficient basis for the Court to have jurisdiction.

International relations are taking on an increasingly legal dimension. Therefore, jurisdictional methods for the settlement of disputes and the organs that are to resolve those disputes, have grown as much in number as have the subjects dealt with. Nevertheless, the Court is, and will continue to be, the focal point of the international community in the interpretation and application of international law.

I wish to conclude by thanking once again the judges of the International Court of Justice for their indefatigable and effective work, which is to the benefit of international peace and security. The Argentine Republic is convinced that the Court, with its well-deserved prestige, continues to make a contribution to consolidating the process of the establishment of a world order based on relations of friendship and cooperation among States in accordance with international law.

Mr. Hamid (Pakistan): First of all, I would like to thank the President of the International Court of Justice, Mr. Stephen Schwebel, for presenting to the General Assembly in a lucid manner the annual report of the International Court of Justice covering the period from 1 August 1998 to 31 July 1999.

At the outset, I would like to reaffirm Pakistan's commitment to the work of the International Court of Justice, which is the principal judicial organ of the United Nations. The Court, which for many years has been the cornerstone of an international legal system built on respect for the rule of law, has played an indispensable role in helping Member States in the peaceful settlement of their disputes.

Since its inception in 1946, the Court has served as the focal point for the peaceful resolution of international disputes and for the development of international law through its judgments and advisory opinions. Its achievements in furthering the principles and purposes of the United Nations Charter for maintaining international peace and security, developing friendly relations among nations and enhancing international cooperation in resolving disputes have been remarkable.

The success of the International Court of Justice in dealing with some of the most difficult international disputes of our time could be judged by the fact that the Court's decisions have been accepted by the States concerned and their implementation has posed no difficulty. This, besides enhancing the prestige of the Court, has enabled it to make a significant contribution to the maintenance of international peace and security.

Pakistan believes that if all countries conducted their relations with other States in accordance with the principles of international law, there would be fewer disputes and conflicts, and recourse to the International Court of Justice would also be minimal. Unfortunately, this does not happen in the real world, and we often come across instances in which the norms and principles of international law are not respected and States resort to methods which are either in violation of established international norms or in breach of a bilateral or multilateral agreement to which they are party. In these circumstances, the presence of the International Court of Justice is a source of consolation for aggrieved States, which know where to turn for their grievances.

In recent years, though the Court has witnessed an increase in the volume of cases brought before it — which is indeed a reflection of the high respect acquired by the Court in the community of nations — there still remain a number of factors which impede States for referring cases to the Court. One of these factors is the financial implications of participation in proceedings before the Court. Sometimes States, in particular least developed and developing countries, do not have

sufficient financial resources to resort to the Court for resolution of their legal differences. In this regard, Pakistan was appreciative of the initiative of the Secretary-General to establish in 1989 a Trust Fund to assist States in the settlement of disputes through the International Court of Justice. Since the Fund is financed through voluntary contributions, we would call upon potential donors to make financial contributions to it, which would certainly be a contribution to the cause of international peace and justice.

Finally, I would like to say few words on the problems being faced by the Court due to financial constraints. In the recent past, there has been a manifold increase in the workload of the Court. However, the growth in its annual budget has not been proportionate to the increased caseload. In order to perform its functions and carry out its responsibilities, it is important that Court's work should not be hampered by the shortage of funds. We fully support the Court's request for an increase in the allocation of financial resources and call upon the competent bodies of the United Nations to consider on a priority basis the question of increasing the resources of the Court.

Mr. Droushiotis (Cyprus): It is a particular honour and pleasure for the delegation of Cyprus to address the General Assembly as it considers the report of the International Court of Justice. We attach great importance to the role and work of the International Court of Justice and to the settlement of disputes by peaceful means in conformity with justice and international law, as provided for in the United Nations Charter. This occasion offers us the opportunity to commend the Court highly on its significant work as the principal judicial organ of the United Nations, and to pay tribute to and express our respect for its President, Judge Stephen M. Schwebel, and its members, who eminently serve the Court with dedication and distinction.

We are once again grateful to the President of the Court for his lucid introduction of the report and for his insightful remarks on the work and functioning of the Court. The annual address of the President of the Court to the General Assembly has become a welcome practice and a highlight of the item's consideration by the Assembly.

The increased activity of the Court, either through submission of contentious cases or through requests for advisory opinions, is a very welcome development. The diversity of cases before it — submitted by States from various regions of the world and differing legal systems, concerning a wide range of matters — is a positive reflection of the Court's general jurisdiction being open to all States and of the confidence and recognition the Court enjoys as the Organization's principal judicial organ. We hope that this growing willingness to resort to the Court and the prevailing "law habit" among States — as highlighted by the United Nations Decade of International Law — will be marked by an increase in the number of declarations by States recognizing without reservation the compulsory jurisdiction of the Court, as contemplated by Article 36 of its Statute.

It is now widely recognized that the peaceful settlement of disputes within the framework of the Charter requires an integrated and coordinated approach combining more than one category of strategies of dispute settlement. A welcome development in this regard is the increasing recourse to the International Court of Justice in parallel with other methods of dispute resolution, which emphasizes the role of the Court in the United Nations system for the maintenance of international peace and security and the peaceful settlement of disputes.

In this regard, chapter IV of the report in document A/54/4, on the role of the Court, which contains a summary of the points made by the President of the Court in his address to the Assembly last year, is highly notable. These points, in paragraph 266 of the report, are that the Court "is no longer seen solely as 'the last resort' in the resolution of disputes" and that "States may have recourse to the Court in parallel with other methods of dispute resolution, appreciating that such recourse may complement the work of the Security Council and the General Assembly, as well as bilateral negotiations". It is also important that he observed that "in this combined process of dispute resolution, judicial recourse has helped parties clarify their positions and that the Court's decision in other cases has provided the parties with legal conclusions which they may use in framing further negotiations and in achieving the settlement of a dispute".

In this regard, I wish to recall that Cyprus has accepted the compulsory jurisdiction of the Court under Article 36, paragraph 2, of the Statute. Moreover, we have declared our readiness to submit the legal components of the Cyprus problem to the International Court of Justice for adjudication, either by way of contentious or advisory proceedings.

A fitting example of this complementary strategy of political and judicial resolution of disputes working in parallel that readily comes to mind at this session, when the Assembly is presided over by Mr. Theo-Ben Gurirab,

Foreign Minister of Namibia, is the Namibia case of 1971, through which the Court rendered an advisory opinion, upon the request of the Security Council, on the legal obligations of States arising from the illegal presence of the then regime of South Africa in Namibia.

Also noteworthy in that case, by way of example of the Court's important contributions to human rights law, was the Court's finding that apartheid was objectively illegal and was a flagrant violation of the purposes and principles of the Charter.

In addition, the Court, as the most authoritative interpreter of the United Nations Charter, determined the binding character of resolutions of the Security Council under Article 25 of the Charter.

There are several more recent examples of combining political and judicial resolution of disputes, as set out by the report of the Court and mentioned by its President earlier this morning.

Furthermore, in relation to the role and functioning of the Court, I would like to note that at major treaty-making conferences and other legal forums, Cyprus has consistently advocated compulsory third-party dispute settlement procedures entailing a binding decision. In this regard, we have accorded the highest respect to the Court as the principal judicial organ of the United Nations.

Lastly, as appears in the report, the increasing caseload of the Court places great pressure on its human and financial resources. The Court should be provided with the means it needs to function properly and effectively as the Organization's principal judicial organ.

May I mention in passing that as a token of our support for the Court and the importance we attach to the peaceful settlement of disputes, Cyprus was among the first States to contribute to the Court's Trust Fund established to assist developing countries financially in availing themselves of and utilizing the Court.

Being a small State, Cyprus relies on the principles and norms of international law and on the United Nations Charter and on their strict and full application. Cyprus ascribes great importance to the International Court of Justice as the highest judicial organ of the United Nations.

In view of the announced end of the tenure of the President of the Court, Judge Stephen M. Schwebel, and of the Registrar of the Court, Mr. Eduardo Valencia-Ospina, we wish to express our highest appreciation for their commitment and dedication to the work of the Court. President Schwebel's contributions to the Court have been meaningful and profound. While they will be retiring from the Court, we look forward in the future to their continued valuable contributions in the field of International law.

Mr. Zmeevski (Russian Federation) (*spoke in Russian*): The Russian Federation attaches great importance to the work of the International Court of Justice, for, as one of the main organs of the United Nations, it must be in the forefront of efforts to achieve, within the framework of its mandate, the goals of the Charter of the United Nations.

What we are referring to, of course, is efforts in support of international peace and security. The Court has already made an important contribution to defending the key provisions of the Charter of the United Nations, and its decision as to the binding nature of those provisions of our Charter that refer to the non-resort to force has become a cornerstone of international law. And now, at a time when humankind must determine the parameters of the world in which we wish to live, the Court takes on even greater importance.

On the threshold of a new millennium, we must work together to develop a comprehensive interpretation of our international commitments in the interest of humankind as a whole. Previous generations of human civilization have handed down to us a broad panoply of peaceful means of reaching decisions, including bringing cases before the International Court. Reason, when it is collective legal reason, can be much more effective than the use of force in international affairs.

As the Minister for Foreign Affairs of Russia, Mr. Ivanov, underscored in his statement during this session of the General Assembly,

> "In general, we should take an extremely careful approach to coercive measures; what is more, we must not allow them to turn into a repressive mechanism for influencing States and peoples that are not to the liking of some." *(A/54/PV.6)*

This was the thinking behind the proposal made by Russia and Belarus to the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization to request a consultative decision from the International Court on the legal

implications of the use of armed force in circumvention of the Charter.

International legality is a mechanism for the maintenance of peace, and it is peace that makes it possible to mete out that justice. If we are to work for peace and sustainable development without violence, we must redouble our efforts to strengthen the international legal basis for a global order and ensure the rule of law in international affairs. The efforts of the International Court could go a long way towards making this happen.

One of the suggestions contained in the proposal by the President of Russia, Mr. Yeltsin, on a world concept for the twenty-first century is to make broader use, within the context of reforming and adapting the United Nations to a changed world, of follow-up and implementation measures and of Court mechanisms and procedures. The goal would be to provide further safeguards against the circumvention of international law and to enhance the role of the International Court with respect to the application and strengthening of mechanisms for the peaceful settlement of disputes.

It is, of course, the evolution of world affairs that dictates the advisability of developing the provisions of international law and adapting them to new realities. However, this should be done not by bringing individual cases before the Court but by sitting down together and taking appropriate decisions within the context of existing provisions of international law. This is the reason for the Russian initiative to discuss at the Millennium Summit the legal aspects of the use of force in international relations in a globalized world. We call upon all States to enter into a broad-based, open dialogue on this issue.

Mr. Stanislaus (Grenada), Vice-President, took the Chair.

It would doubtless be useful to do research, under United Nations auspices, on this subject. In this way we would be able to objectively analyse the provisions of international law regulating the use of force in international relations; to study the ways in which these provisions have been interpreted and applied, including in rulings of the International Court; to compare the requirements of the Charter of the United Nations with similar equivalent provisions and standards in regional instruments; to collect examples of Security Council actions taken in the context of responding to so-called humanitarian crises; and to list precedents of the use of force in circumvention of the Charter of the United Nations to learn of the reasoning behind them, the reaction of the international community, and the consequences for third countries.

We would like to express our deep gratitude to the President of the International Court of Justice, Mr. Stephen Schwebel, for the very comprehensive account he has given of the work of the Court. We agree with him that if the Court is to fulfil its potential as the principal judicial organ of the Organization, it needs resources so that it can work as intensively and as effectively as is required by the increasing number of cases brought before the Court by States.

The entire budget of the International Court today is $11 million a year. Percentage-wise, this is less than the equivalent amount allocated for the Court in the 1946 United Nations budget. By comparison, the Yugoslavia Tribunal has received $94 million. Furthermore, while the International Court has 57 staff members, the Yugoslavia Tribunal has 794. We should give very careful thought to whether this disproportion is justified.

The annual discussion of the Court's report in the General Assembly is proof of its significance to the international community and also demonstrates how important it is for us to strengthen cooperation between all United Nations bodies with a view to coordinating efforts to implement the purposes and principles of the Organization. We believe that we should consider at this session a practical and constructive way of strengthening the role of the highest judicial organ of the United Nations, and we are prepared to contribute fully to this endeavour.

Mr. Niehaus (Costa Rica) (*spoke in Spanish*): My delegation would like to express its wholehearted gratitude for the report of the International Court of Justice and its introduction by the President of the Court, Judge Stephen Schwebel.

The legal settlement of disputes is indispensable for the peaceful development of the international community. Differences with respect to law or facts, if politicized, can become threats to international peace and security. Territorial disputes in particular can lead to military escalation. In this connection, recourse to the International Court of Justice is a fundamental mechanism for reducing international tension and for the final settlement of disputes between States. My delegation takes note with satisfaction of the work done by the Court to foster peace and security in the various cases that are before it.

As the principal judicial body of the United Nations, the International Court of Justice also plays a key role in the progressive development of contemporary international law. Its jurisprudence, in contentious cases as well as in advisory opinions, not only determines the law for parties in conflict, but also sheds light on questionable or controversial areas of the law for the benefit of other States. In many instances, the Court has adopted progressive positions that have pointed the way for and consolidated the development of the international legal order. We also take note of its role as the authority for interpreting the provisions of the United Nations Charter. Costa Rica is grateful and expresses its appreciation to the Court for this work.

My delegation is aware of the practical problems experienced by the Court in recent years, which result from an increase in the number of cases and requests for advisory opinions. Nevertheless, we do not believe that such problems need result from the number of cases or that we should therefore discourage the Court from taking them on. On the contrary, we believe that the increase in the number of cases is a positive sign of the will of States to submit themselves to the principles of law in the conduct of their international relations.

We believe that the practical difficulties in the work of this lofty tribunal result from the budgetary constraints to which it is subjected to in the context of its growing responsibilities. We are pleased to note that the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions have requested a small increase in the budget of the Court. My delegation will support this increase when it is considered by the Fifth Committee of the General Assembly, and we trust that other delegations will do likewise.

However, we fear that such additional resources will prove inadequate to enable the Court to tackle all of its responsibilities. We believe that in future budgets, greater funding should be allocated to the Court. My delegation would welcome an increase in the personnel of the Court, including additional archival, computer and secretariat staff, in addition to a professional team to provide technical and legal assistance to the judges and the presidency, as suggested in the report of the Secretary-General on the consequences for the Court of the increase in the number of cases before it, which was issued last year. With regard to assistants and gratis personnel, my delegation reaffirms the position that it has expressed repeatedly in the Fifth Committee.

We thank the Court for the efforts it has made to improve its work. My delegation is actively supporting various proposals in the Special Committee on the Charter and in the Sixth Committee to strengthen the International Court of Justice, and we welcomed with satisfaction the draft resolution which is included in paragraph 122 of the report (A/54/33) of the Special Committee. However, we believe that several areas of the Court's activity could be further improved, and while we scrupulously support the principle of the judicial independence of the Court, we should like, with all due respect, to make a few suggestions. We believe that the International Court of Justice is a mechanism in the service of States, and if it is to remain valid it must respond actively and effectively to the needs of those who use it.

Would it not therefore be appropriate for the judges to limit the length of their dissenting or separate opinions to no more than 5 or 10 pages? Would there not be an improvement in judicial activity if States elected judges who could understand easily both official languages and if we imposed age limits in electing judges? Would it not be fair to provide more opportunities for women to become members of the Court? Would it not be appropriate for States to elect judges exclusively from countries that have accepted the compulsory jurisdiction of the Court in accordance with Article 36, paragraphs 2 and 5, of the Statute? Do not some of the recommendations of Professor Bowett, Professor Crawford, Sir Ian Sinclair and Sir Arthur Watts, published in 1996, have validity?

We trust that the Court, as well as States, will continue to consider, through both the Special Committee on the Charter and the General Assembly, possible improvements in the practices of this principal judicial organ of the Organization.

Finally, we should like to thank the Court for the excellent work of dissemination that it has been carrying out through the Internet. This is invaluable, especially to developing States, which sometimes have difficulties in gaining access to information about the latest activities of jurisprudence.

Mr. Tudela (Peru) (*spoke in Spanish*): I should like at the outset to congratulate Judge Stephen Schwebel for the detailed report on the work of the International Court of Justice at its previous session, which he introduced to us today. Peru takes this opportunity to reaffirm its commitment to international law and its firm support for

the activities of the Court as the principal judicial body of the United Nations. We are pleased to see that there has been a gradual increase in recourse to the Court, as reflected by the fact that 18 new contentious cases and one advisory case were submitted to the Court during its previous session.

We will not on this occasion refer to the diverse matters that are before the Court in contentious cases, but we believe that it is necessary to emphasize that its excellent jurisprudence has significantly contributed to the progressive institutionalization of international law and that, in addition, in many cases the Court has served as a forum in which, while preparing their pleas, States in litigation have identified points of convergence that have laid the foundations for subsequent agreement.

Furthermore, with regard to its advisory function, the Court, through its 23 advisory opinions, has made important contributions as the authority for interpreting the United Nations Charter and in deciding juridical matters that have arisen within the domain of the activities of the General Assembly, the Security Council and the 16 organizations authorized to request advisory opinions. Of these, we accord particular importance to the Advisory Opinion of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*, which points to the urgent need for States to undertake negotiations leading to the elimination of nuclear weapons.

The financial situation of the Court is cause for concern for Peru, particularly when we take into account the increase in the number of cases that are being submitted to it. If we want the Court to continue to make its important contribution with the same degree of efficiency, we believe it necessary for the United Nations to pay particular attention to the legitimate demand for the Court to be provided with sufficient financial resources to adequately handle the work created not only by the increase in the number of cases but also by the need to maintain and increase the information service that the Court has provided through its Internet site. In this context, we are pleased to see that that site, which was inaugurated in September 1997, is being consistently improved, while the many visitors that enter the site include a growing number of diplomats, lawyers, students, politicians and members of the general public.

Peru welcomes the improvements achieved in this area and urges the Court, and particularly its Computerization Committee, to continue its efforts to use computers to publicize its work. In contrast with the progress in this area, as chapter IX of the report of the Court points out, publications are suffering from a lamentable delay — basically due to the Court's delicate financial situation — which we hope will be overcome, particularly with regard to the Court's *Pleadings, Oral Arguments, Documents* and *Reports of Judgments, Advisory Opinions and Orders*.

Finally, we are also pleased by the inauguration of the Museum of the Court in the Peace Palace in May of this year by the Secretary-General. We believe that this can further promote knowledge among the visiting public of the functions of the Court, of the institution of judicial resolution of international disputes and of the importance of international law and justice in the preservation of peace.

Peru, which throughout its history has shown in its international relations a deep attachment to international law and which has on occasion resorted to the jurisdiction of the Court, will persevere in its efforts so that the Court can continue to attain its lofty goals in the pursuit of peace and of the rule of law. To this end, Peru urges all States that are involved in disputes to submit them to the Court in order to find peaceful solutions under the protection of international law.

Mr. Abdullah (Sudan) (*spoke in Arabic*): At the outset, I wish to say that we are pleased and honoured to extend our thanks to the President of the International Court of Justice and to the honourable members of the Court for the comprehensive report on the Court and its work from August 1998 to July 1999.

We would also like to express our satisfaction at the statement by Judge Stephen Schwebel, the President of the Court, before the General Assembly today; we thank him for his comprehensive statement.

It is noteworthy that the submission of the Court's report to the General Assembly at its current session coincides with the conclusion of the Decade of International Law, one of whose four major objectives was to "promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice". This imbues the Court's current report with a special character, since this objective for the Decade of International Law coincides with the supreme objective behind the establishment of the International Court of Justice in 1946: that the Court should be an effective, efficient judicial means for the peaceful settlement of

disputes. Since the Court stands for the enforcement of the principles of neutrality and justice in international relations, resorting to it to settle disputes is a true measure of civilization and a genuine measure of inclination towards and yearning for peace.

Sixty-two of the world's States have so far accepted the compulsory jurisdiction of the Court provided for in Article 36, paragraph 2, of its Statute. My country is greatly honoured to be among those States. In addition to that Article, about 100 international conventions contain provisions for settling disputes by resort to the International Court of Justice. This reassures us of the growing role of the Court in the area of international relations and the judicial settlement of disputes. In this regard, we reiterate the call made by the General Assembly for Member States to accept the compulsory jurisdiction of the Court.

An increase in the Court's resources, enabling it to shoulder the growing burdens referred to in the reports of the Court this year and last year, is relevant to the growth of the role of the Court and necessary for according it full respect. The Court cannot but respond to its duty in considering the cases brought before it and handing down the advisory opinions required of it. The United Nations, in turn, should make the provision of necessary and sufficient resources to the Court a duty and a high priority, regardless of the financial constraints facing the United Nations itself; for the provision of sufficient resources is linked to one of the most important principles of the United Nations: the maintenance of peace. Moreover, the additional resources requested by the Court are modest, and the United Nations should find no difficulty in securing them.

In the report submitted by the President of the Court, there was an important reference to the fact that resorting to the Court at times of tension and crisis allows for a relaxation of tensions even before a settlement is reached, and in some cases permits the resumption and success of stalled political negotiations. This shows the Court's potential, by virtue of its character and its work, for guaranteeing the peaceful settlement of disputes, even at their most tense. Similarly, the report mentions that the instances of resort to the Court in times of peace outnumber those in times of tension and conflict. This means that the States in conflict resort to the Court of their own volition, hand in hand, without necessarily allowing the dispute to undermine the links, bonds and relations existing between them. This, we think, enhances peace-building and promotes the culture of peace.

The unique situation of the International Court of Justice makes us all the more certain of the importance of its role; hence our constant demand for the full implementation of the Charter's provisions that prevent the work and responsibilities of the Court from being swallowed up by other United Nations bodies.

The Acting President: We have heard the last speaker in the debate on this item. May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 13?

It was so decided.

Agenda item 26

Cooperation between the United Nations and the League of Arab States

Report of the Secretary-General (A/54/180)

Draft resolution (A/54/L.14)

The Acting President: In accordance with General Assembly resolution 477 (V) of 1 November 1950, I now call on the observer for the League of Arab States.

Mr. Hassouna (League of Arab States) (*spoke in Arabic*): Allow me to begin by congratulating the President as sincerely as possible on his election to the presidency of the fifty-fourth session of the General Assembly. We are confident that, thanks to him, this will be a successful session, particularly given how historic it is to have the last session of the century presided over by a freedom fighter well known for his experience, his skills and his diplomacy. The President has done so much for our brotherly country Namibia, a country highly recognized and respected throughout the Arab world.

As we stand at the threshold of a new millennium, the world is in an optimistic mood, as clearly expressed by all the delegations speaking during this session. In their statements, the various States have praised the role of the United Nations as a whole and have spoken of its noble tasks, as well as of their desire to see the Organization succeed in fulfilling its tasks and responsibilities despite the many new challenges we face as we move into a new century with so much change at the international, regional and national levels.

For its part, the League of Arab States is also looking towards the new millennium with confidence and

optimism. We are looking forward to even more close and constructive cooperation with the United Nations and its specialized agencies, so that together we can offer the world peace, stability and mutual understanding and create a world based on dialogue between civilizations, on conciliation and on respect for moral values and the rule of law in the relations between nations and peoples.

The League of Arab States is the foremost regional organization, established in 1945 within the framework of the international order that emerged at the end of the Second World War. The League is now embarking on the third millennium with a full awareness of its increasing role as a partner of the United Nations in the various spheres of life — in politics, economics, society, culture, law and administration. We are supported in this endeavour by the current approach to modernizing its structures and mechanisms. These efforts include the establishment of, *inter alia*, a free-trade area among the Arab States, an agreement to combat terrorism, an Arab court of justice and mechanisms for the peaceful settlement of disputes. All these measures are aimed at enabling our regional organization to cope with the new regional and global realities.

The report of the Secretary-General contained in A/54/180 outlines the contacts and consultations undertaken recently between the Secretary-General of the United Nations and the Secretary-General of the League of Arab States, as well as between the League's Permanent Observer and high-ranking officials of the United Nations. Much has been done on questions of common interest. Representatives of the League of Arab States have had very high-level consultations, for example with Secretary-General Kofi Annan, during the last two sessions of the General Assembly. They have spoken on regional and international issues of concern to the Arab world, including the question of Palestine, the Middle East peace process, Iraq, Libya, Somalia and the Comoros.

There have undoubtedly been successful efforts in the containment or resolution of many crises, such as the Lockerbie issue, some phases of the conflict between the United Nations and Iraq, and the problem of Somalia. These successes are the result of the constant process of consultation and the constructive approach of the two sides in this dialogue.

The cooperative relationship between the United Nations and the Arab League took another turn for the better this year at the very fruitful meetings of the secretariats of the United Nations and the League of Arab States and their specialized agencies. The meeting of the secretariats took a very close look at the areas in which the two organizations work together and at areas where more could be done to cooperate. Among the most important achievements of this meeting was the agreement to hold a sectoral meeting at the Economic and Social Commission for Western Asia, in Beirut in May 2000, on the subject of youth and employment. This meeting would be of great economic and social importance for the Arab region. The Arab League would like to thank the Secretariat for its constant efforts to make sure that the enhanced relationship between our two organizations continues successfully.

Discussion of the report on cooperation between the United Nations and the League of Arab States is very much in tune with the efforts of these international organizations to establish a just, comprehensive and lasting peace in the Middle East, in accordance with the principles of the Charter of the United Nations and relevant Security Council resolutions. In pursuit of this goal, the League of Arab States would like to reaffirm the notion that the international community, as represented by the United Nations, should respect and support the components of such peace. This means supporting, *inter alia*, the resolutions of international legitimacy, such as Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), the principle of land for peace, and the right of Palestinians to self-determination, including an independent Palestinian State. The Palestinian people should receive the necessary support in their struggle to gain their legitimate rights and establish their own independent State on their national territory, with Jerusalem as its capital. Israeli attempts to change the demography and geography of Jerusalem cannot bear fruit in the face of the resolute decisions of the Security Council.

The problem of Palestinian refugees must be justly resolved in accordance with General Assembly resolution 194 (III) of 1948, which stipulates their right to return to their land or the right to compensation, and the rejection of any attempts to settle them outside Palestine. The international community is called upon to fulfil its obligations towards the process of development and reconstruction in Palestinian lands, which would have a positive effect on the peace process. It has to ensure the success of the Palestinian festival, "Bethlehem 2000", in celebration of the end of the second millennium since the birth of Christ — may God's peace be upon him.

Security Council resolution 465 (1980), stating that Israeli settlements are illegal and must be dismantled, must be respected. The Fourth Geneva Convention requires Israel to adhere to these provisions and the convening of a new peace conference if Israeli violations persist, particularly the removal of populations from Palestinian territory, especially in and around Jerusalem. Such brotherly countries as Syria have claimed that negotiations should be continued at the point where they left off and that Israel is required to withdraw fully from the Golan Heights to the line of 4 June 1967 and from South Lebanon as far as West Bekaa.

As for cooperation between the United Nations and the League of Arab States, we are working together to settle several issues that are very important to the future of the Arab region. It is our hope that these joint efforts will bear fruit in the very near future and that the dreams and goals of the peoples of the region will be fulfilled, particularly the participation of Palestine as a full United Nations Member State at the fifty-fifth session of the General Assembly; the full lifting of sanctions imposed against our brother peoples in Libya and Iraq, in compliance with resolutions of international legitimacy; the restoration of peace and stability to Somalia and the Comoros; the recovery by the United Arab Emirates of its full sovereignty over the three occupied Arabian Gulf islands; and the establishment of the Middle East as a zone free of weapons of mass destruction, in particular nuclear weapons.

In this respect, the role played by the League of Arab States in support of the efforts of the United Nations in the field of international peace and security has grown to the extent that the United Nations now relies on us, as a regional organization, in several areas. It is therefore essential that the League of Arab States should enjoy the same full diplomatic status as other regional organizations working under Chapter VIII of the Charter. It is clear that the League of Arab States should enjoy the same status as the Organization of the Islamic Conference and the Organization of African Unity. Our acquisition of that status will make it much easier for us to do our work and to address practically the difficulties that arise in our day-to-day activities and responsibilities.

Finally, we reiterate our support for the United Nations, confident as we are of the nobility of the goals, purposes and principles of its Charter, and reaffirm our full commitment to them. We again pledge our continued fruitful and constructive cooperation with the United Nations in order to address the various common issues raised in the draft resolution before us. The consensus by which the draft resolution has advanced to this point reflects a universal recognition by the General Assembly of positive and effective cooperation with the League of Arab States. We are also confident that this consensus can be extended to other resolutions on the Middle East, given the legitimate positions and equally legitimate claims of the members of the League.

The Acting President: We have heard the last speaker in the debate on this item.

The Assembly will now take a decision on draft resolution A/54/L.14. I would inform members that the Comoros and Iraq have become additional co-sponsors.

May I take it that the Assembly decides to adopt draft resolution A/54/L.14?

Draft resolution A/54/L.14 was adopted (resolution 54/9).

The Acting President: I now call on the representative of Israel, who wishes to speak in explanation of vote on the resolution just adopted.

May I remind members that explanations of vote are limited to 10 minutes.

Mr. Gilon (Israel): The delegation of Israel has joined the consensus on the resolution for the sixth time in a row. In so doing, we were guided by the desire to make peace with our neighbours, all of which are members of the League of Arab States.

Today, significant strides have been taken on the Israeli-Palestinian track and we see new hope for progress on the Syrian track as well. The peace process, which began in Madrid in 1991, was after all based on two tracks: the bilateral tracks between Israel and its neighbours and the multilateral tracks. We call upon our neighbours to seize the opportunity to quickly resume the multilateral tracks, lest we lose the diplomatic momentum of the present day and the chance to bring the fruits of peace to our peoples. Hesitation and preconditions serve no one; face-to-face dialogue and cooperation are in the interest of all parties in the region.

Israel supports cooperation between the United Nations and various regional organizations, including the League of Arab States. Indeed, such cooperation is based on provisions of the United Nations Charter. It is

regrettable that Israel alone remains excluded from the regional group fitting its geographic location, owing to the political objections of some Member States. Israel calls upon the members of the League of Arab States to honour Israel's equal right to participate in the Group of Asian States. The fact that Israel alone is still denied membership in any regional group directly contradicts the United Nations declared commitment to the sovereign equality of Member States, enshrined in the Charter.

This is the first resolution on an issue related to the Middle East to be adopted by the General Assembly at its fifty-fourth session. We are pleased that the resolution was adopted by consensus.

We would therefore — especially after listening to the previous speaker — take this opportunity to recommend that all parties to the peace process exercise restraint both in the language of resolutions to be submitted and in all related statements. We cannot build confidence in the Middle East by engaging in polemical debates in New York. The peace process is by its nature bilateral between the parties and inflammatory rhetoric offered in international forums surely belongs to another era.

We regret having to echo a plea so similar to last year's. This is due to the failure of this forum to reflect substantive changes on the ground. We look forward to a day when the climate in the United Nations will catch up with the fact that a genuine peace process has been launched and that all sides have been moving towards progress and reconciliation.

By resolving today to promote, in word and in deed, an atmosphere of cooperation and growth in the region, the nations involved in the peace process can transform today's hope into tomorrow's reality. Let us hope they do not miss this historic opportunity.

The Acting President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 26?

It was so decided.

Agenda item 171

Observer status for the Community of Portuguese-Speaking Countries in the General Assembly

Draft resolution (A/54/L.15)

The Acting President: I call on the representative of Angola to introduce draft resolution A/54/L.15.

Mr. Van Dunem "Mbinda" (Angola): On 7 October the General Committee acceded to the request made by the Portuguese-speaking countries that are United Nations Members to include a new item on the General Assembly's agenda at this session on the granting of observer status to the Community of Portuguese-Speaking Countries (CPLP).

Today I take the floor on behalf of Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and Sao Tome and Principe, in my capacity as Chairman of the Council of Ministers of the CPLP, to propose to this body the adoption of draft resolution A/54/L.15, which invites the Community of Portuguese-Speaking Countries to participate in the sessions and the work of the General Assembly in the capacity of observer and requests the Secretary-General to take the necessary steps to implement that decision.

In document A/54/232, of 14 September 1999, an explanatory memorandum was circulated that describes the history of the CPLP since its establishment on 17 July 1996 as an intergovernmental body of Portuguese-speaking countries to provide a response to the aspirations and appeals of 200 million people who consider the Portuguese language not only a means of communication, but also a historical and a common heritage nurtured by their friendly relation throughout the centuries.

The Community, created by the heads of State and Government of the seven Portuguese-speaking countries, is determined to achieve the following goals: to contribute to the reinforcement of human ties, solidarity and brotherhood among all people for whom the Portuguese language is one of the pillars of their identity; to encourage the dissemination and the enrichment of the Portuguese language; to enhance the cultural exchange and dissemination of intellectual and artistic creation within the framework of the Portuguese language; to endeavour to establish in certain member countries concrete forms of cooperation between the Portuguese

language and other national languages in the field of research and enhancement; to widen the cooperation among member countries in the field of political and diplomatic concerted action, particularly within the framework of international organizations, so as to give ever greater expression of their common interests and needs within the international community; to develop economic and entrepreneurial cooperation among member countries; and to mobilize internal and external efforts and resources aimed at assisting in reconstruction and rehabilitation programmes, as well as humanitarian aid and emergency actions in member countries.

The CPLP also has among its objectives the promotion of cooperation in the following areas: the preservation of the environment; the protection of human rights, including the rights of children; strengthening of the social and economic condition of women; and the eradication of racism, racial discrimination and xenophobia.

The CPLP is very open with regard to national diversity and cultural richness among its member States, which also belong to a multitude of other regional and multilateral bodies. Some of our countries are also members of the Organization of African Unity, the Organization of American States, the European Union, the Organization of the Islamic Conference, the Commonwealth and the International Organization of La Francophonie. We ardently desire that at the dawn of the next millennium, East Timor will join our Community as an independent Asian country, well integrated into its own regional neighbourhood.

Aware of the cultural reality that an identity of their own confers upon its members, the CPLP is also meant to be a bridge among the different geographical areas where its member States lie. By forming an association, they wish to promote peace, democracy, the rule of law, development, social justice and respect for the sovereignty and territorial integrity of States and for the principle of non-interference in internal affairs. In that way, they concur with the promotion of the purposes and principles of the Charter of the United Nations.

Since its inception, the CPLP has sought to cooperate efficiently and constructively with the United Nations and other relevant regional and subregional organizations. This has been the case in the search for solutions to the war in Angola, in the recent crisis in Guinea-Bissau and in the process of self-determination of East Timor. In the case of Guinea-Bissau, it should be noted that the concerted action between the CPLP and the Economic Community of West African States contributed much to the re-establishment of peace in that member country. The CPLP took part in the round table sponsored by the United Nations Development Programme aimed at coordinating the much-needed assistance for the rehabilitation process in Guinea-Bissau. The CPLP is also taking the necessary steps to cooperate in the reconstruction of East Timor.

Recognizing the benefits that would stem from a closer relationship with the United Nations, the Council of Ministers of the CPLP decided, at their meeting of July 1998, held in Praia, Cape Verde, that the Community would take the necessary steps in order to be granted observer status in the General Assembly. It is the hope of the seven member States of the CPLP that the General Assembly will transform our endeavour into reality by adopting draft resolution A/54/L.15.

I would like to announce the additional sponsors of the draft resolution: Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and Sao Tome and Principe.

The Acting President: The Assembly will now take a decision on draft resolution A/54/L.15.

May I take it that the Assembly decides to adopt draft resolution A/54/L.15?

Draft resolution A/54/L.15 was adopted (resolution 54/10).

The Acting President: I now call on the representative of Brazil.

Mr. Soares (Brazil): I have the privilege of expressing the appreciation of the seven member States of the Community of Portuguese-Speaking Countries (CPLP) — Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and Sao Tome and Principe — to the other 181 Members of the United Nations for accepting the request to grant our Community observer status at the General Assembly.

The Community of Portuguese-Speaking Countries is not foreign to this Hall. Two years ago, on United Nations Day, three Portuguese-language music stars — Tito Paris of Cape Verde, Dulce Pontes of Portugal and Carlinhos Brown of Brazil — presented a show on behalf of the CPLP. On that occasion, the President of Brazil, Fernando Henrique Cardoso, sent a message stating that

the CPLP was to be seen as an extension of the international personality of its seven member nations, which bring their shared historical heritage into the present in the form of joint political action and a quest for cooperation.

Bringing together peoples from Africa, America, Europe and soon Asia, our Community is inspired by democratic principles. As the Permanent Representative of Angola stated, the CPLP statutes reaffirm the ideals of universal cooperation expressed in the San Francisco Charter. Hence, the Community of Portuguese-Speaking Countries was constituted in the light of the values of peace, democracy, rule of law, human rights, development and social justice, bearing in mind the principles of sovereign equality of States, non-interference in their internal affairs and respect for their territorial integrity.

Not only do the main goals of CPLP share the purposes of the United Nations Charter, but the values that constitute the framework of the Community of Portuguese-Speaking Countries are also consistent with the principles of this universal Organization.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 171?

It was so decided.

The meeting rose at 1.10 p.m.